

No.

CR 07 00772

RS

E-FILING

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

THE UNITED STATES OF AMERICA

vs.

DANIEL THOMAS REYES

INDICTMENT

COUNT ONE:

Title 21, U.S.C. § 841(c)(2) - Possession of a Listed Chemical with Knowledge or Reasonable Cause to Believe it Will be Used to Manufacture a Controlled Substance

COUNT TWO:

Title 21, U.S.C. §§ 846, 841(a)(1) and 841(b)(1)(A)(iv) - Conspiracy to Manufacture One Kilogram or More of a Mixture or Substance Containing a Detectable Amount of Phencyclidine, or PCP

A true bill.

Lenora L. Wills

Foreperson

Filed in open court this 5th day of December

A.D. 2007

Dorinda V. Mendez
United States Magistrate Judge

Bail. \$ no process

E-FILING

Filed

DEC 05 2007

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

SCOTT N. SCHOOLS (SCBN 9990)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL THOMAS REYES,

Defendant.

CR No. 07 00772

VIOLATIONS: 21 U.S.C. § 841(c)(2) -
Possession of a Listed Chemical with
Knowledge or Reasonable Cause to Believe
it Will be Used to Manufacture a Controlled
Substance; 21 U.S.C. §§ 846, 841(a)(1), and
841(b)(1)(A)(iv) - Conspiracy to
Manufacture One Kilogram or More of a
Mixture or Substance Containing a
Detectable Amount of Phencyclidine, or
PCP

**JF
RS**

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. § 841(c)(2))

On or about November 8, 2007, in the Northern District of California, the defendant,
DANIEL THOMAS REYES,
did knowingly and intentionally possess a List I chemical, to wit, piperidine and its salts,
knowing and having reasonable cause to believe that the listed chemical would be used to
manufacture a controlled substance, to wit, phencyclidine, also known as PCP, in violation of
Title 21, United States Code, Section 841(c)(2).

INDICTMENT

1 COUNT TWO: (21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(iv), and 846)

2 Beginning on or about November 1, 2006 and continuing through and including November 8,
3 2007, in the Northern District of California and elsewhere, the defendant,

4 DANIEL THOMAS REYES,

5 and others, did knowingly and intentionally conspire with other persons known and unknown to
6 manufacture a Schedule I controlled substance, to wit, one kilogram or more of a mixture and
7 substance containing a detectable amount of phencyclidine, also known as PCP, in violation of
8 Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(iv), and 846.

9
10 DATED: 12/5/07

A TRUE BILL.

11
12 Ramona H. Wells
13 FOREPERSON

14 SCOTT N. SCHOOLS
United States Attorney

15 Matthew A. Parrella
16 MATTHEW A. PARRELLA
Chief, San Jose Office

17
18 (Approved as to form: John N. Glang)

AUSA John N. Glang

AO 257 (Rev. 6/78)

E-FILING**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**SEE ATTACHED PENALTY
SHEET

- ☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

SEE ATTACHED PENALTY SHEET

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

DEA SPECIAL AGENT PATRICK DONLIN

- ☐ person is awaiting trial in another Federal or State Court, give name of court

- ☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

- ☐ U.S. Att'y ☐ Defense

- ☐ this prosecution relates to a pending case involving this same defendant

- ☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

SHOW
DOCKET NO.MAGISTRATE
CASE NO.

07-70670-HRL

Name and Office of Person
Furnishing Information on
THIS FORM**SCOTT N. SCHOOLS**

- ☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y
(if assigned)

JOHN N. GLANG

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

DANIEL THOMAS REYES

DISTRICT COURT NUMBER

IS NOT IN CUSTODY

- 1) ☐ Has not been arrested, pending outcome of this proceeding.
☐ If not detained give date any prior summons was served on above charges

- 2) ☐ Is a Fugitive

- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
5) ☐ On another conviction
6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of Institution

Has detainer
been filed?

- ☐ Yes
☐ No

If "Yes"
give date
filed

**DATE OF
ARREST**

Month/Day/Year

Or... If Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

- ☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**

- ☐ SUMMONS ☒ NO PROCESS*

- ☐ WARRANT Bail Amount: _____

If Summons, complete following:

- ☐ Arraignment ☐ Initial Appearance

Defendant Address: _____

*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____

Before Judge: _____

Comments: _____

U.S. V. DANIEL THOMAS REYES

PENALTY SHEET

Count One: 21 U.S.C. § 841(c)(2)

Possession of a Listed Chemical with Knowledge or Reasonable Cause to Believe it Will be Used to Manufacture a Controlled Substance

20 years imprisonment

\$250,000 Fine

3 years supervised release

\$100 special assessment

Count Two: 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A)(iv)

Conspiracy to Manufacture One Kilogram or More of a Mixture or Substance Containing a Detectable Amount of Phencyclidine, or PCP

Imprisonment for Life with 10-year minimum mandatory term

\$4,000,000 Fine

At least 5 years of supervised release, No Maximum

\$100 special assessment